

## REMARKS

Claims 1-33 are pending. An Office Action mailed December 15, 2005 rejected Claims 1-13 and 27-33 under 35 U.S.C. § 102 and allowed Claims 14-26. By way of this Amendment, Applicant hereby amends Claims 1 and 27 and cancels Claim 2. Pursuant to 37 CFR § 1.111, Applicant hereby respectfully requests reconsideration of the application.

### REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

The Office Action rejected Claims 1-13 and 27-33 as being anticipated by Brinkley et al. (hereinafter "Brinkley"). With regard to Claim 1, the Office Action submits that Brinkley discloses an in-flight communication system comprising in aircraft cabin envelope including a wireless LAN and a ground based security envelope that is in communication with a ground based segment of the ACARS security envelope. With regard to amended independent Claim 1, Applicant respectfully traverses this rejection.

Applicant hereby amends Claim 1 to include the subject matter of Claim 2. Applicant submits that Brinkley discloses systems aboard an aircraft that route data to and from a ground based data communications apparatus 12 (Paragraph 29, FIGURES 1 and 2). Brinkley does not include a PDA that sends data to and receive data from the ground based security envelope. Brinkley discloses the need for manual intervention to provide connectivity between avionic units on an aircraft and automatically uploading of avionics data from aircraft to ground stations via wireless communication links (Paragraph 15). The suggestion in Paragraph 62 appears to provide support that a PDA to perform operator-initiated request for synchronization tasks with associated ground network systems, back-up and recovery initiation and other network requests (Paragraph 62). However, Applicant submits that there is no teaching or suggestion by Brinkley that the PDA performs both sending data to and receiving data from the ground based security envelope or the aircraft cabin envelope. Because Brinkley is concerned with informing ground based systems of the status of on-board avionics, the communication of data sending and receiving is between the avionics units of Brinkley and ground based systems, and not a PDA

since a PDA is not an integral part of the aircraft avionics system 10, but would be a data communication apparatus 12. Therefore, Applicant submits that amended independent Claim 1 is allowable over the cited references.

Because independent Claim 27 includes the similar subject matter of Claim 1, independent Claim 27 is allowable for the same reasons that make Claim 1 allowable. Because Claims 3-13 and 28-33 depend from allowable independent claims, they are allowable for the same reasons that make their corresponding independent claims allowable.

### CONCLUSION

Applicant respectfully submits that all of the claims of the pending application are now in condition for allowance over the cited references. Accordingly, Applicant respectfully requests withdrawal of the rejections, allowance, and early passage through issuance. If the Examiner has any questions, the Examiner is invited to contact the Applicant's agent listed below.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



Michael S. Smith  
Registration No. 39,563  
Direct Dial: 206.749.9888

### MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3/15/06  
Date of Deposit

  
Michelle J. Carman